

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – March 18, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order at 7:00 PM by Village President Dave Torgerson and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Lacca, & Torgerson  
**Members Excused:** Griffin, Kiel, & Pattison

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Lacca, seconded by Grey, to approve the Consent Agenda as presented, which included the following items:

1. Invoices and Bills to be Paid
2. Investment Report
3. Balance Sheet
4. Income & Expense Report
5. Joint Construction Code Authority Report
6. Approval of publication of a RFP for a new three-year audit agreement
7. Minutes of the December 10, 2013 Planning Commission Meeting
8. Minutes of the December 16, 2013 Village Council Work Session
9. Minutes of the December 17, 2013 Village Council Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Reports:**

- Village President Torgerson gave a brief report. He congratulated Village Manager Wolff on his work on the Village's new Master Plan which has been awarded the Comprehensive Plan of the Year by the Small Town and Rural Planning Division of the American Planning Association.
- Village Manager Wolff provided an update on funds spent so far this winter on snow removal and salt. He reported that the Village has spent about 108% of the budgeted funds for this winter, and would have budget amendments for the Council to consider at their next meeting.  
  
Sherman Township Marshal Hooker was present and discussed the status of the agreement between the Village and Township for dedicated law enforcement services. He requested that the Village agree to increase the amount for the 2014-2015 year from \$8,000 to \$10,500 to help cover additional court costs. Members of the Council discussed this with him and asked for the Manager to have the item on the Agenda at the April Village Council meeting so that formal action could be taken.
- LIPOA report was given by Dave McGrath. He discussed a series of proposed changes to the Bylaws of the LIPOA. He also discussed a policy recently adopted by the Board

which would bar any LIPOA Board Member from sitting on any Village board or commission, or from being employed with the Village of Lake Isabella.

**Public Hearings:**

1. Proposed Ordinance 2014-01; Single-Family Definition Update

Torgerson opened a public hearing for proposed Ordinance 2014-01 at 7:39 PM.

Public Comments: None

Lacca questioned the need for the ordinance. Wolff replied that late last year a member of the Planning Commission voiced concern over the definition currently in the zoning code and felt that it may be in violation of the way courts have ruled on cases involving issues of the definition of “single-family.” He replied that at the direction of the Planning Commission he had the Village’s legal counsel review the definition, and they recommended the modification proposed in this ordinance.

With no further public comments, Torgerson closed the public hearing at 7:45 PM.

A motion was made by Grey, seconded by Eberhart, to adopt Ordinance 2014-01. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

2. Proposed Ordinance 2014-02; Residential Accessory Structure Regulations

Torgerson opened a public hearing for proposed Resolution 2013-14 at 7:47 PM.

Public Comments:

- Mrs. Pyrett of Clubhouse Drive discussed a situation with her metal shed being destroyed under the weight of the snow this winter and her need to replace it. The Council addressed her concerns and stated that from the information she presented that she would be able to replace her shed under either the current language or proposed language in Ordinance 2014-02.

With no additional public comments, Torgerson closed the public hearing at 7:57 PM.

A motion was made by Grey, seconded by Lacca, to adopt Ordinance 2014-02. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Public Comments:** None

**Existing Business:**

1. Isabella County Dam Repair Project & Special Assessment

The Council reviewed the reply from the Isabella Drain Commissioner regarding the concerns shared with his office in February. All members present voiced their support for the project which will make minor repairs to the dam and downstream area of the Chippewa River. Concerns were expressed regarding the apparent omissions in the process used by Isabella County which has resulted in construction being undertaken without first finalizing the special assessment roll to cover the costs of the project.

A motion was made by Lacca, seconded by Eberhart, to authorize the public disclosure of the written legal opinion of Crystal Morgan, dated November 26, 2013 and the written legal opinion of Crystal Morgan received via email on March 10, 2014 regarding the

steps taken by Isabella County on this project. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

Village Manager Wolff was directed to send a final letter to the Drain Commissioner and the County Commission regarding the Village's concerns regarding the process used by the County. He was also directed not to appeal the per-parcel assessments proposed for lots owned by the Village or appeal the assessment in the Circuit Court.

### **New Business**

1. Resolution 2014-01; Sale of Village Owned Lots

Proposed Resolution 2014-01 was introduced and a public hearing set for the next meeting where at least 5 members of the Council are present.

2. Receipt of 2013 Planning & Zoning Report

The 2013 Planning & Zoning Report was accepted by the Council with thanks to the Planning Commission for their work in 2013.

3. Receipt of 2013 Central Dispatch Report

The 2013 Central Dispatch Report was received by the Council.

4. 2014 Village Election; Charter Amendments

Manager Wolff inquired as to the desire of the Council to consider any proposed amendments to the Charter since this is an election year. Clerk Grey offered to review the Charter with Wolff and report back to the Council.

5. Resolution 2014-02; Fee Schedule

A motion was made by Grey, seconded by Lacca, to adopt Resolution 2014-02 which updates the fee schedule used by the Village on various permit applications. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

6. Resolution 2014-03; Broomfield Twp. Fire/Rescue Special Assessment Renewal

A motion was made by Grey, seconded by Lacca, to adopt Resolution 2014-03 which sets a Public Hearing for April 15, 2014 to confirm the proposed special assessment roll for the renewal of the Broomfield Twp. Fire/Rescue Special Assessment. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Public Comments:** None

With no further business, the Village Council stood in adjournment at 8:32 PM.

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(Approved 2014-04-15)

Jeffrey P. Grey, Village Clerk

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Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – April 15, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order at 7:00 PM by Village President Dave Torgerson and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Lacca, & Torgerson  
**Members Excused:** Griffin, Kiel, & Pattison

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Grey, seconded by Lacca, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. JCCA Report
6. Draft Minutes of the March 18, 2014 Village Council Meeting
7. Minutes of the March 19, 2014 Planning Commission Meeting
8. Draft Minutes of the April 8, 2014 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Reports:**

- Village President Torgerson gave a brief report. He highlighted the Manager's upcoming trip to Atlanta to receive the Village's award from the American Planning Association.
- Village Manager Wolff provided an update to the Council on several items. He discussed progress made with the owners on Tee Drive to resolve the long-standing drainage issue on this street. He also discussed the events of last week's Planning Commission meeting.

Grey commented that it appears by looking at the contact logs submitted in the Manager's Report that there has been a marked increase in the number of complaints coming in regarding Isabella Pellet. Wolff responded that there has been a noticeable increase in the number of calls the office is getting with respect to the pellet factory. Grey asked to have Wolff prepare a report for the Council to consider next month in New Business which would detail all outstanding issues from their Site Plan as well as recommendations on items the Council could consider for additional enforcement of blight and air quality matters. There were no objections to this request.

Lacca stated that he agrees with Grey, and that the Village should pursue stronger enforcement measures.

- LIPOA report was given by Dave McGrath. He discussed the upcoming Bylaw Review meeting.

**Public Hearings:**1. Proposed Resolution 2014-04; Broomfield Twp. Special Assessment Renewal

Torgerson opened a public hearing for proposed Resolution 2014-04 at 7:29 PM.

**Public Comments:**

- Elmer Ledbetter of Red Fox Court spoke in favor of renewing the assessment district coverage.
- Larry Hiither of Queens Way spoke in favor of renewing the district.

Wolff stated that prior to the meeting; letters of objection were received from the following and included in the Village Council meeting packet:

- Pete & Sue Stromik
- Alex Lobkovich

With no further public comments, Torgerson closed the public hearing at 7:36 PM.

A motion was made by Grey, seconded by Eberhart, to adopt Resolution 2014-04. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Public Comments:**

- Marc Forrest of Clubhouse Drive spoke about his request under New Business for the Council to consider allowing some type of appeal process for camper and RV storage needs.

**Existing Business:**1. Isabella County Dam Repair Project & Special Assessment

Wolff updated the Council on his meeting the day prior with the Isabella County Drain Commissioner (ICDC). Wolff reported that he was informed by the ICDC that he would be holding a new public hearing and updating the roll to reflect the boundaries from the 1970 Court Order. The ICDC also has requested that the Village work with him to amend the boundaries from the 1970 Court Order to something more reflective of the Village limits.

The Council discussed its desire for the LIPOA to be a strong part of this process, and to move forward with the request only in conjunction with the LIPOA. Council members discussed the fairness of including properties inside the Village which are outside the platted lands of the LIPOA. Members of the Council also discussed their interest in having the Village pay an “at-large” share in future assessments versus per parcel.

Wolff was directed to communicate to the ICDC the concerns expressed by the Council, and to also let the LIPOA know of the request to modify the special assessment district boundaries.

2. Audit Bid Results

Wolff reported that the Finance Committee reviewed the proposals that were submitted and are recommending to the Council that the Manager check the references on the three

lowest bids and to report back the following month. The Council endorsed this recommendation and asked Wolff to report his findings back to the Finance Committee.

3. Sherman Township Contract Amendment

A motion was made by Lacca, seconded by Eberhart, to approve an increase of \$2,500 to the cost for dedicated law enforcement coverage in the Village’s contract with Sherman Township. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**New Business**

1. Trailer/RV Parking Request

The Council reviewed the request from Marc Forrest to add an appeal process or amend the regulation of storage for trailers and RVs. Mr. Forrest owns the lot across the street from his home and would like to store his camper there. The wording in the Village’s ordinance does not allow for this to occur.

The Council discussed this issue and reviewed the history of the regulations. Wolff noted that it originally was found in the zoning code, but was moved to a general police power ordinance several years ago. In doing so residents lost the ability to seek relief from the regulations.

Several members of the Council spoke in favor of having an appeal process added to the regulations, but also voiced concern over allowing trailers and RVs to be stored on vacant lots.

Wolff was requested to prepare a draft to amend this section of the ordinances by adding an appeal mechanism to the regulations.

2. Resolution 2014-05; Budget Amendments

A motion was made by Grey, seconded by Lacca, to adopt Resolution 2014-05 which amends the FY 2013-2014 Budget. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Public Comments:**

- Mike Scherba of Isabella Vista spoke about adding an appeal process to the regulation of trailers and RVs. He stated that he wasn’t opposed to an appeal process but that the Council should be the one hearing the appeal and that this could be a problem on the south end of the lake.
- Dave McGrath of Queens Way stated that if an appeal process was created for trailer and RV regulations the Village Council should be the body that hears the appeal.
- Marc Forrest of Clubhouse Drive thanked the Village Council for considering his issue. He also told that Council that the Village is fortunate to have the Village Manager as he has called several times with issues and he has always been very professional and reasonable in dealing with his concerns.

With no further business, the Village Council stood in adjournment at 8:32 PM.

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Jeffrey P. Grey, Village Clerk

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Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – May 20, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson  
**Members Absent:** None

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Kiel, seconded by Griffin, to approve the Consent Agenda as presented, which included the following items:

1. Investment Report
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes of the April 15, 2014 Finance Committee Meeting
6. Draft Minutes of the April 15, 2014 Village Council Meeting
7. Draft Minutes of the April 22, 2014 Zoning Board of Appeals Meeting
8. Draft Minutes of the May 13, 2014 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson  
NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**Reports:**

1. Village President Torgerson had no items to report to the Village Council.
2. Village Manager Wolff provided a written report to the Village Council, it was received without objection.
3. LIPOA President Russell provided a verbal report to the Village Council on current operations of the LIPOA.

**Public Hearings:**

1. Proposed Resolution 2014-03; Sale of Village Owned Lots

Torgerson opened a public hearing for proposed Resolution 2014-03 at 7:11 PM.

Public Comments were received by the Village Council from John Dauffenbach of Clubhouse Drive.

With no further public comments, Torgerson closed the public hearing at 7:14 PM.

A motion was made by Grey, seconded by Kiel, to adopt Resolution 2014-03 as presented in the meeting packet. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**Public Comments:**

Public comments were received by the Village Council from Paul Cueny of Clubhouse Drive.

**Existing Business:**1. Proposed Southern Lake Isabella Sewer Project

A motion was made by Grey, seconded by Eberhart, to have the Village Manager inform the USDA that the Village will not contest or object to the de-obligation of funds which were awarded to the Village for the proposed sewer project for southern Lake Isabella, and that the Village is no longer actively pursuing the project. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

2. Isabella Pellet; Status of Agreements

The Village Council received a report from the Village Manager detailing the agreements and approvals made between Isabella Pellet and the Village of Lake Isabella.

A proposed ordinance to regulate the outdoor storage of products and raw materials was introduced by Council member Grey. Without objection, the Chair ruled that the ordinance had been formally introduced and set a public hearing for the next meeting.

A proposed ordinance to regulate nuisance activities and noxious odors was introduced by Council member Grey. Without objection, the Chair ruled that the ordinance had been formally introduced and set a public hearing for the next meeting.

3. Approval of Audit Bid

A motion was made by Kiel, seconded by Grey, to award a three-year agreement to perform the Village's annual audit to Gabridge & Company. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

4. Village Charter Amendment Recommendations

The Village Council received the recommendations of Council member Grey and Village Manager Wolff on areas of the Village Charter which should be considered by the Council for amendment at this year's General Election.

A motion was made by Kiel, seconded by Lacca, to have the recommendations from the May 20<sup>th</sup> meeting presented at next month's meeting in the form of proposed resolutions so that the Council may formally consider the recommendations individually. VOICE VOTE; MOTION CARRIED UNANIMOUSLY (7-0-0).

5. Proposed Ordinance; Trailer Storage Regulations

The Village Council received a draft from Village staff of an ordinance which would create an appeal process for the regulation of storing trailers and campers.

The Chair asked for a member of the Council to formally introduce the ordinance so that a public hearing could be set. There were no members of the Village Council that wished to formally introduce the ordinance. Without objection from the Council, the Chair ruled that due to lack of support the draft ordinance had not been introduced.

6. Lake Isabella North Lot Swapping Agreement

The Village Council reviewed an updated draft of the proposed agreement with the Michigan Department of Environmental Quality, Central Michigan District Health Department, and Isabella County Board of Public Works which would amend the Building and Use Restrictions for Lake Isabella North.

7. LIPOA No Parking Area Requests

The Village Council reviewed the request of the LIPOA to enact various No Parking Zones throughout the Village to help deter trespassing in LIPOA parks during the winter.

Without objection, the matter was referred to the Liaison Committee for review at its next meeting scheduled for Tuesday, May 27, 2014.

**New Business**

1. 2014 Lake Patrol Agreement

A motion was made by Kiel, seconded by Pattison, to approve the proposed contract with Isabella County for lake patrol services from the Isabella County Sheriff's Department for the 2014 summer. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

2. 2014-2015 N.S.F.D. Contract

A motion was made by Kiel, seconded by Lacca, to approve the proposed 2014-2015 contract with the Nottawa-Sherman Townships Fire Department for dedicated coverage for the Broomfield Township areas of the Village of Lake Isabella. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Set Special Meeting Date & Time

Village President Torgerson set a special meeting to review and approve the annual budget for Thursday, June 12, 2014 at 8:30 AM.

4. Charter Communications PEG Channel

The Village Council received information from Village staff which highlighted options available to the Village with respect to Public, Educational, and Governmental (PEG) Access Television in mid-Michigan.

5. Michigan Right-to-Farm Act

The Village Council received information from Village staff which highlighted the recent changes made to the Generally Accepted Agricultural Management Practices under the Michigan Right to Farm Act.

6. Resolution 2014-06; Lake Isabella Golf Estates 1, Lot 139

A motion was made by Kiel, seconded by Griffin, to adopt Resolution 2014-06 as presented which notifies the Isabella County Treasurer that the Village of Lake Isabella desires to acquire for public purposes the recently foreclosed Lake Isabella Golf Estates I, lot 139 for public purpose. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

7. Liaison Committee Meeting Agenda Items

The Village Council added items to the agenda for the next meeting of the Liaison Committee. In addition to the No Parking Zone issue added earlier in the meeting, it was requested by Council member Eberhart to ask the LIPOA to provide an update on their lake dredging plan at the Liaison Committee meeting. This item was added to the Liaison Committee agenda without objection.

8. 2014 Lake Isabella Fireworks Contract & Permit

A motion was made by Grey, seconded by Kiel, to approve the proposed contract with Freedom Fireworks with the Village Manager having the authority to modify the contract amount based on fundraising efforts, and approve the proposed State of Michigan permit for Freedom Fireworks to conduct the 2014 Lake Isabella Fireworks on Saturday, July 5<sup>th</sup>. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

9. Brush Dump Policies

A motion was made by Lacca, seconded by Eberhart, to adopt the proposed use policy and prices for use of the Village of Lake Isabella Brush Dump as presented in the meeting packet. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

10. Tee Drive Drainage Agreement

The Village Council reviewed a draft of a proposed drainage easement for two lots along Tee Drive which, if granted by the property owners, would provide for additional drainage in this area.

**Public Comments:**

Public comments were received by the Village Council from Paul Cueny of Clubhouse Drive and Scott Voight of Fairway Drive.

A motion was made by Grey, seconded by Lacca, to enter into a Closed Session to conduct the Village Manager's annual performance review at 9:14 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

A motion was made by Grey, seconded by Pattison, to exit the Closed Session at 10:20 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

With no further business, the Village Council stood in adjournment at 10:22 PM.

x\ {Approved 2014-06-17}  
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 Jeffrey P. Grey, Village Clerk

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 Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Special Meeting – June 12, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Village President Pro-Tempore, at 8:37 AM and the pledge of allegiance was recited.

**Members Present:** Grey, Griffin, Kiel, Lacca, and Pattison.

**Members Absent:** Eberhart and Torgerson

**Public Hearings:**

1. Proposed Resolution 2014-07; Proposed 2014-2015 Budget

Pattison opened a public hearing for proposed Resolution 2014-07 at 8:38 AM.

Manager Wolff reviewed the proposed budget with the Village Council.

Public Comments were received by the Village Council from Jo-an Ledbetter of Red Fox Court.

With no further public comments, Pattison closed the public hearing at 9:10 AM.

A motion was made by Kiel, seconded by Lacca, to adopt Resolution 2014-07 as presented in the meeting packet which adopts the 2014-2015 Village Budget, sets the property tax rate to be levied in support of the budget at 1 Mill with the anticipated Headlee Rollback to 0.846 Mill, and makes final amendments to the FY 2013-2014 Budget. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Lacca, and Pattison, NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Public Comments:** None

With no further business, the Village Council stood in adjournment at 9:11 AM.

x\ {Approved 2014-06-17}  
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Jeffrey P. Grey, Village Clerk

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Dan Pattison, Village President Pro-Tempore

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – June 17, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Kiel, Pattison, and Torgerson

**Members Excused:** Griffin and Lacca

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Eberhart, seconded by Grey, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes April 15, 2014 Finance Committee Meeting
6. Draft Minutes April 15, 2014 Village Council Meeting
7. Draft Minutes April 22, 2014 Zoning Board of Appeals Meeting
8. Draft Minutes May 13, 2014 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Reports:**

1. Village President Torgerson thanked President Pro-Tempore Pattison for running the budget meeting in his absence.
2. Village Manager Wolff provided a written report to the Village Council, it was received without objection.
3. No report from the LIPOA was presented.

**Public Hearings:**

1. Proposed Ordinance 2014-04; Noxious Odors

Torgerson opened a public hearing for proposed ordinance 2014-04 at 7:08 PM.

Public Comments were received by the Village Council from Larry Hiither of Queens Way.

With no further public comments, Torgerson closed the public hearing at 7:12 PM.

A motion was made by Grey, seconded by Kiel, to adopt Ordinance 2014-04 as presented in the meeting packet. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Proposed Ordinance 2014-05; Outdoor Storage of Raw Materials

Torgerson opened a public hearing for proposed ordinance 2014-05 at 7:25 PM.

No public comments were made.

With no public comments, Torgerson closed the public hearing at 7:30 PM.

A motion was made by Grey, seconded by Eberhart, to adopt Ordinance 2014-05 as presented in the meeting packet. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Public Comments:** None

**Existing Business:**

1. **Proposed Charter Amendments**

After discussion, the following proposed amendments to the Village Charter were introduced and directed to be published for future consideration by the Village Council:

Proposed Resolution 2014-08, which amends section 9.05 of the Village Charter with the following proposed Charter amendment:

Shall Section 9.05 of the Charter of the Village of Lake Isabella be amended to provide that requirement to adopt the annual budget be moved from June 15<sup>th</sup> to June 23rd, so that the provisions of Section 9.05 read as follows?

**Section 9.05. Village Council Action on Budget.**

- (a) **Notice and Hearing.** The Village Council shall publish a general summary of the budget and a notice stating:
- (1) The times and places where copies of the message and budget are available for inspection by the public, and
  - (2) The time and place, not less than two weeks after such publication, for a public hearing on the budget.
- (b) **Amendment Before Adoption.** After the public hearing, the Village Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law, for debt service, or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.
- (c) **Adoption.** The Village Council shall annually adopt the budget on or before the twenty-third day of June.

Proposed Resolution 2014-09, which amends section 18.03 of the Village Charter with the following proposed Charter amendment:

Shall Section 18.03 of the Charter of the Village of Lake Isabella be amended to delete the requirement of the current section 18.03(b) for the Village to establish an independent Board of Ethics while maintaining prohibitions for conflicts of interest, so that the provisions of Section 18.03 read as follows?

**Section 18.03. Conflicts of Interest.**

**Conflicts of Interest.** The use of public office for private gain is prohibited. The village council shall implement this prohibition by ordinance. Regulations to this end shall include but not be limited to:

1. Acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public;
2. The acceptance of gifts and other things of value of confidential information;
3. And appearances by village officials before other village agencies on behalf of private interests.

This ordinance shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual matters and, insofar as permissible under state law, shall provide for fines and imprisonment for violations.

Proposed Resolution 2014-10, which creates section 5.19 of the Village Charter with the following proposed Charter amendment:

Shall Section 5.19 of the Charter of the Village of Lake Isabella be created to establish a prohibition of persons with a felony conviction from serving in any elective office for the Village of Lake Isabella, so that the provisions of Section 5.19 read as follows?

**Section 5.19 Felony Convictions**

No person shall be eligible for any elective office of the Village of Lake Isabella if that person has ever been convicted of a felony.

Proposed Resolution 2014-14, which amends section 5.03b of the Village Charter with the following proposed Charter amendment:

Shall Section 5.03b of the Charter of the Village of Lake Isabella be amended to remove the prohibition of members of the Village Council from holding any position or employment with the Lake Isabella Property Owners Association during the term of office of said Village Council member to only prohibiting Council members from serving on the elected board of directors for the LIPOA and other property owner associations located within the Village of Lake Isabella, so that the provisions of Section 5.03b read as follows?

**Section 5.03b Prohibitions**

Except where authorized by law, no council member shall hold any other elected public office during the term for which the member was elected to the council. No council member shall hold any other village office or employment during the term for which the member was elected or appointed to the Village Council. No council member shall be on the elected Board of Directors for the LIPOA, or the elected board of any other property owner association located within the Village of Lake Isabella. No former council member shall hold any compensated

appointive office or employment with the village until one year after the expiration of the term for which the member was elected to the council. Nothing in this section shall be construed to prohibit the council from selecting any current or former council member to represent the village on the governing board of any regional or other intergovernmental agency.

2. Traffic Control Orders

A motion was made by Pattison, seconded by Eberhart, to adopt proposed Traffic Control Orders 2014-01, 2014-02, 2014-03, and 2014-04. ROLL CALL VOTE; YEAS: Eberhart, Kiel, Pattison, and Torgerson NAYS: Grey; MOTION CARRIED (4-1-0).

**New Business**

1. Malley Contract Renewal

A motion was made by Keil, seconded by Pattison, to adopt a three-year renewal of the Village Street Maintenance Contract with Malley Excavating. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Liability and Property Insurance

A motion was made by Grey, seconded by Kiel, to approve the renewal of the Village's liability and property insurance coverage with the MML. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

3. Wall of Honor Recommendations

A motion was made by Kiel, seconded by Pattison, to approve the list of names submitted for recognition on the Wall of Honor. VOICE VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson NAYS: Eberhart; MOTION CARRIED UNANIMOUSLY (4-1-0).

4. Resolution 2014-12; Isabella County Mosquito Control

A motion was made by Grey, seconded by Eberhart, to adopt proposed resolution 2014-12. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, and Pattison NAYS: Torgerson; MOTION CARRIED (4-1-0).

5. Resolution 2014-13; Blighted Structures

A motion was made by Grey, seconded by Kiel, to adopt proposed resolution 2014-13 as presented in the meeting packet. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

6. Receipt of Legal Opinion

The Village Council received and reviewed the June 11<sup>th</sup> legal opinion of the Village attorney. A motion was made by Pattison, seconded by Grey, to disclose the full text of the June 11<sup>th</sup> legal opinion to the public and not consider the opinion exempt under the Village's attorney client relationship. ROLL CALL VOTE; YEAS: Eberhart, Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Public Comments:**

Public comments were received by the Village Council from Larry Hiither of Queens Way.

With no further business, the Village Council stood in adjournment at 8:26 PM.

x\  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – July 15, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson  
**Members Excused:** Grey

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Lacca, seconded by Kiel, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes June 17, 2014 Village Council Meeting

ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

**Reports:**

1. Village President Torgerson informed the Council that he was re-appointing the following individuals to new terms for various committee:  
Robert Laraway to a three-year term on the Planning Commission.  
Angela Schofield to a three-year term on the Planning Commission.  
Lee Prince to a three-year term on the Zoning Board of Appeals.  
Jack Gildea to a three-year term on the Airport Advisory Board.  
There were no objections from the Council on any of these re-appointments.
2. Village Manager Wolff provided a written report to the Village Council, it was received without objection.
3. LIPOA Manager King submitted a written report, it was received without objection.

**Public Hearings:** None

**Public Comments:**

Public comments were offered to the Village Council from the following individuals:

- Mike Scherba of Isabella Vista
- Larry Hiither of Queens Way
- Paul Cueny of Clubhouse Drive
- Todd Buchanan of Circle Drive

**Existing Business:** None**New Business**1. Resolution 2014-15

A motion was made by Kiel, seconded by Eberhart, to adopt proposed Resolution 2014-15 as presented. This is the first of the two required resolution to create single-parcel special assessment district to recover costs incurred by the Village to abate nuisances at 1008 Bundy Drive, 1003 Sevilla Street, and 1032 Vallado Drive. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

2. Resolution 2014-16

A motion was made by Kiel, seconded by Griffin, to adopt proposed Resolution 2014-16 as presented. This resolution authorizes the closure of the Queens Way Receiving bank account maintained at Isabella Bank. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

3. Resolution 2014-17

A motion was made by Lacca, seconded by Pattison, to adopt proposed Resolution 2014-17 as presented. This resolution updates the criteria used by the Village for the Wall of Honor. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

4. Trailer Storage Regulations

Manager Wolff provided a review of the Village's regulation of trailers and RVs. He requested permission to create a work group and invite the LIPOA to participate to review the Village's current regulations and offer recommendations on areas which should be considered for amendment. There were no objections from the Council to this request.

5. Approval of Bid – DPW Roof Project

A motion was made by Eberhart, seconded by Kiel, to award the bid for the DPW Roof Project to Vogel Construction of Lake Isabella for a tear-off total re-roof in the amount of \$11,760. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

6. Approval of Bid – Pavement Markings

A motion was made by Kiel, seconded by Eberhart, to award the bid for the Pavement Markings project to PK Construction of St. Johns in the amount of \$8,670. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

7. Approval of Bid – Crack Sealing

A motion was made by Kiel, seconded by Eberhart, to award the bid for the 2014 Crack Sealing work to Wolverine Sealcoating of Jackson in the amount of \$1.<sup>17</sup> per pound. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

**8. Receipt of Legal Opinion**

A motion was made by Lacca, seconded by Pattison, to enter into a Closed Session at 7:45 PM to review the July 7, 2014 legal opinion of Village Attorney Cliff Bloom, which is exempt from disclosure under state and federal law. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

A motion was made by Kiel, seconded by Eberhart, to return to Open Session at 8:14 PM. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

A motion was made by Lacca, seconded by Eberhart, to direct the Village Manager to draft an ordinance for the Council to consider which would create a standing Board of Ethics based on the Michigan Model Ordinance created by former Attorney General Mike Cox. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 6-0-0.

**Public Comments:**

Public comments were offered to the Village Council from the following individuals:

- Todd Buchanan of Circle Drive
- Paul Cueny of Clubhouse Drive
- Arlene Klinke of Isabella Vista
- Audra Buchanan of Circle Drive

With no further business, the Village Council stood in adjournment at 8:28 PM.

x\ [Approved August 19, 2014]  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Special Meeting – August 8, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Village President Pro-Tempore Pattison, at 4:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Griffin, Kiel, Lacca, and Pattison  
**Members Excused:** Torgerson

**Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive who also submitted them in writing to the Council for consideration. Responses to Mr. Cueny were offered by Councilmen Eberhart, Councilman Griffin, and Councilman Lacca.

**Business**

1. Proposed Resolution 2014-08

A motion was made by Kiel, seconded by Eberhart, to adopt proposed Resolution 2014-08 as presented. This resolution would place a proposed amendment to Section 9.05 of the Village Charter on the General Election ballot this November. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, and Pattison. NAYS: None. MOTION CARRIED UNANIMOUSLY (6-0-0).

2. Proposed Resolution 2014-09

A motion was made by Grey to adopt proposed Resolution 2014-09. There was no second to the motion and the Chair ruled that the motion died for lack of support.

3. Proposed Resolution 2014-10

A motion was made by Lacca, seconded by Eberhart, to adopt proposed Resolution 2014-10 as presented. This resolution would place a proposed amendment to the Village Charter on the General Election ballot this November. This proposed amendment would create a new Section 5.19 to the Village Charter. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, and Pattison. NAYS: None. MOTION CARRIED UNANIMOUSLY (6-0-0).

4. Proposed Resolution 2014-14

A motion was made by Grey, seconded by Eberhart, to adopt proposed Resolution 2014-14 as presented. This resolution would place a proposed amendment to Section 5.03b of the Village Charter on the General Election ballot this November. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, and Pattison. NAYS: None. MOTION CARRIED UNANIMOUSLY (6-0-0).

5. Introduction of Proposed Ordinance 2014-03; Group Homes

Proposed Ordinance 2014-03 was formally introduced by Councilman Grey without objection. A public hearing was this proposed ordinance was added to the Agenda for the regular August meeting.

6. Introduction of Proposed Ordinance 2014-08; Board of Ethics

Proposed Ordinance 2014-08 was formally introduced by Councilman Grey without objection. A public hearing was this proposed ordinance was added to the Agenda for the regular August meeting. The draft prepared for the Council was referred to the Village’s legal counsel for review, along with the concerns and comments submitted by Mr. Cueny to the Village via email that morning.

**Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive.

With no further business, the Village Council stood in adjournment at 4:31 PM.

x\ [Approved August 19, 2014]  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dan Pattison, Village President Pro-Tempore

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – August 19, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Griffin, Kiel, Lacca, and Torgerson  
**Members Excused:** Grey and Pattison

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Lacca, seconded by Kiel, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes; July 15, 2014 Village Council Meeting
6. Draft Minutes; July 15, 2014 Village Council Closed Session
7. Draft Minutes; July 29, 2014 Planning Commission Meeting
8. Draft Minutes; August 8, 2014 Village Council Meeting

ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Reports:**

1. Village President Torgerson did have a report.
2. Village Manager Wolff provided a written report to the Village Council, it was received without objection.
3. No report was provided by the LIPOA.

**Public Hearings:**

1. Proposed Resolution 2014-18; SPSAD 14-1 2nd Resolution  
Torgerson opened the public hearing at 7:06 PM.  
Public Comments: None  
Torgerson closed the public hearing at 7:07 PM.  
A motion was made by Kiel, seconded by Lacca, to adopt Resolution 2014-18 as presented. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).
2. Proposed Resolution 2014-19; SPSAD 14-2 2nd Resolution  
Torgerson opened the public hearing at 7:07 PM.  
Public Comments: None  
Torgerson closed the public hearing at 7:08 PM.

A motion was made by Kiel, seconded by Eberhart, to adopt Resolution 2014-19 as presented. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

3. Proposed Resolution 2014-20; SPSAD 14-3 2nd Resolution

Torgerson opened the public hearing at 7:08 PM.

Public Comments: None

Torgerson closed the public hearing at 7:09 PM.

A motion was made by Kiel, seconded by Griffin, to adopt Resolution 2014-20 as presented. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

4. Proposed Ordinance 2014-03; Group Homes

Torgerson opened the public hearing at 7:12 PM.

Public Comments: None

Torgerson closed the public hearing at 7:14 PM.

A motion was made by Griffin, seconded by Kiel, to adopt Ordinance 2014-03 as presented. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

5. Proposed Ordinance 2014-08; Board of Ethics

Torgerson opened the public hearing at 7:23 PM.

Public Comments:

- Paul Cueny of Clubhouse Drive submitted comments to the Council via email that were reviewed by the Council.

A motion was made by Eberhart, seconded by Lacca, to amend the proposed wording of section 232.21(1) to include relatives of employees as prohibited members of the Board of Ethics, so that section 232.21(1) reads as follows:

*As required by section 18.03b of the Village Charter, there is hereby created a board to be known as the Board of Ethics of the Village of Lake Isabella. The Board of Ethics shall be comprised of three members who are electors in the Village of Lake Isabella that are appointed by the Village President with the advice and consent of the Village Council. No person shall be appointed as a member of the Board who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the Village of Lake Isabella, or employee of the Village of Lake Isabella. Members of the Board of Ethics are also prohibited from holding any elective or appointed government office, political party office, or board of director position on any homeowner or property owner association within the Village of Lake Isabella. Members shall serve without compensation. The Village Council shall by resolution adopt a standard complaint form to be followed and submitted for complaints made and referred to the Board of Ethics.*

VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

A motion was made by Eberhart, seconded by Griffin, to amend the wording of section 232.21(3) to address situations where members of the Board of Ethics may no longer satisfy the membership requirements of the ordinance by adding the following sentence to the start of the paragraph:

*By a majority vote of the Village Council, the Village may remove a member of the Board of Ethics who no longer satisfies the requirements of 232.21(1) of the Codified Ordinances which governs requirements and prohibitions of serving on the Board of Ethics.*

VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

With no further discussion or comments, Torgerson closed the public hearing at 8:25 PM.

A motion was made by Eberhart, seconded by Lacca, to adopt Ordinance 2014-08 as amended during the public hearing. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

### **Public Comments:**

Public comments were offered to the Village Council from the following individuals:

- Mike Scherba of Isabella Vista
- Al Davis of Coldwater Road

### **Existing Business:**

#### 1. Inspection Service and Floodplain Administration

The Village Council received a letter from Isabella County regarding returning the Village's building, electrical, mechanical, and plumbing permit process to the County. The Council discussed also moving the administration of FEMA's floodplain maps to the County as this falls under the building code and is presently handled by the Village in the zoning process.

A motion was made by Eberhart, seconded by Kiel, to begin the process of returning the Village's inspection and permit process to Isabella County, as well as the administration of the floodplain regulations, and have the Village Manager prepare the necessary paperwork to complete this process. ROLL CALL VOTE; YEAS: Eberhart, Griffin, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

### **New Business**

#### 1. Village Council Candidate Filing Deadline Notification Policy

The Village Council discussed developing a policy regarding notification procedures for future Village Council elections. Wolff asked to work on this and present a draft for consideration at the next meeting.

#### 2. Resident Request

Al Davis was present to discuss the Village's regulation of storage pods and shipping containers. The zoning code for the Village regulates these as a "Temporary Structures" and limits the ability to place them on any parcel at 90 days. He would like to see the ordinance amended to allow commercial and industrial properties to have these if needed.

The Council directed Wolff to prepare a draft for the Planning Commission to review regarding this request.

3. Liaison Committee Agenda Items

The Council discussed items to address in the next Liaison Committee Meeting. Kiel asked that a discussion be held regarding approaching the Cooley estate on donating the vacant acreage at El Camino Grande and Coldwater Road.

4. Designation of MML Voting Delegate

Torgerson asked if any members of the Council were interested in serving as the Village's voting delegate to the MML Annual convention. No Council members expressed interest. Torgerson asked Wolff if he was planning on attending the annual convention. Wolff stated that he likely was not going to attend this year. Torgerson designated Village Manager Wolff as the Village's voting delegate to the MML annual convention, with the understanding that most likely there would be no representatives from the Village at this year's convention. There was no objection from the Council to making Wolff the Village's voting delegate to the MML annual convention.

**Public Comments:** None

With no further business, the Village Council stood in adjournment at 9:02 PM.

x\  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – September 16, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson

**Members Absent:** None

**Members Excused:** None

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Kiel, seconded by Lacca, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes; August 19, 2014 Village Council Meeting
6. Draft Minutes; August 25, 2014 Liaison Committee Meeting
7. Draft Minutes; September 9, 2014 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson  
NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**Reports:**

1. Village President Torgerson reported on the current vacancies on the Planning Commission and Board of Ethics.
2. Village Manager Wolff provided a written report to the Village Council, it was received without objection. He also discussed the status of the Consumers natural gas build-out and the system upgrade being done by Charter.
3. No report was provided by the LIPOA.

**Public Hearings:** None

**Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive.

**Existing Business:**

1. Resolution 2014-23; Election Dates Notification Policy

The Village Council reviewed the proposed resolution prepared to create a policy regarding additional notification steps to be taken in future years for Village Council elections. There was discussion regarding amending the Charter to reflect the proposed requirements in that document.

A motion was made by Grey, seconded by Lacca, to post-pone action on proposed resolution 2014-23 until after this year's General Election and to readdress the issue before the next General Election for the Village Council. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 7-0-0.

2. Tee Drive Drainage Agreements

A motion was made by Pattison, seconded by Eberhart, to approve the proposed Drainage Agreements for Tee Drive. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 7-0-0.

**New Business**

1. September 2% Request Applications

The Council discussed projects to submit to the Saginaw Chippewa Indian Tribe for 2% requests for this month's deadline. The Village Manager was directed to submit a request for the Bike/Pedestrian Path for Queens Way and El Camino Grande.

2. 2014 Lake Patrols

The Council was updated regarding the work done by the Isabella County Sheriff's Department on the lake in 2014. The Village Manager informed the Council that due to the poor weather this summer, the Sheriff's Department would not be invoicing the Village for the additional time spent on the lake.

A motion was made by Kiel, seconded by Griffin, to make a one-time \$500 donation to the Isabella County Sheriff's Department Dive Team as a gesture of appreciation for the added lake patrols in 2014. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Resolution 2014-21; Board of Ethics Disclosure Form

A motion was made by Grey, seconded by Eberhart, to adopt Resolution 2014-21 which formally creates an annual disclosure form for Village officials to submit to the Board of Ethics. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

4. Resolution 2014-22; Board of Ethics Complaint Form

The Council reviewed a proposed resolution and form that would formally establish the complaint form to be submitted to the Board of Ethics.

There was discussion over the fine amount imposed under the Ethics Ordinance that those knowingly submitting a false claim could face. A filing fee was also discussed.

A motion was made by Pattison, seconded by Lacca, to post-pone action on proposed Resolution 2014-22 in order to seek a legal opinion on the questions raised during discussion. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 7-0-0.

5. Employee Handbook Review

The Village Manager presented the Employee Handbook to the Council and requested that it be reviewed by the Personnel Committee as it is due for renewal by the Village Council. The matter was referred to the Personnel Committee without objection.

6. Village Council Rules & Procedures Review

The Village Manager presented the current rules and procedures of the Village Council to the Council for review. He noted that the last time the rules were seriously updated was 2011. The Council discussed the need to review the rules to see if any changes may be needed due to changes made to the Open Meetings Act. The matter was referred to the Personnel Committee without objection.

7. Introduction of Proposed Ordinance 2014-06

Village President Torgerson introduced proposed Ordinance 2014-06 and requested that a public hearing be set for the October meeting date. There were no objections to either action.

8. Introduction of Proposed Ordinance 2014-10

Proposed Ordinance 2014-10 was introduced by Lacca. He requested that a public hearing be set for the October meeting date. There were no objections to either action.

**Public Comments:**

Public comments were offered to the Village Council from Mike Scherba of Isabella Vista.

A motion was made by Lacca, seconded by Grey, to enter into a Closed Session at 7:48 PM as allowed by MCL 15.268(d) to consider the purchase of real property. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

A motion was made by Grey, seconded by Kiel, to exit the Closed Session at 8:30 PM. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

With no further business, the Village Council stood in adjournment at 8:32 PM.

x\ [Approved 2014-10-21] \_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – October 21, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson

**Members Absent:** None

**Members Excused:** None

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Lacca, seconded by Kiel, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Draft Minutes; September 16, 2014 Village Council Meeting
6. Draft Minutes; September 16, 2014 Village Council Closed Session
7. Draft Minutes; October 14; 2014 Personnel Committee Meeting
8. Draft Minutes; October 14, 2014 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson  
NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**Reports:**

1. Village President Torgerson reported on the current vacancies on the Planning Commission and Board of Ethics. He reported that since the last meeting several applications have been submitted to fill these vacancies. Based on the applications submitted, President Torgerson made the following appointments:
  - Farzad Tafreshi to fill the remainder of a term on the Planning Commission.
  - Bernie Baldwin to the Ethics Committee.
  - Aaron Dore to the Ethics Committee.
  - Richard Kulin to the Ethics Committee.

There were no objections from the Council to any of these appointments.

2. Village Manager Wolff provided a written report to the Village Council. In his report he discussed a paving grant that the Village is working on to do a major paving project in 2015. He reported that with the grant the cost saving to the Village would be around 30%. He also reported on the letters sent by the MDEQ to several residents regarding Isabella Pellet. He also informed the Council of an error he made in sending the wrong draft of a public notice to the Morning Sun for publication regarding the proposed Charter Amendments. He reported that he had spoken to county and state about the issue

and that the state was comfortable with the Village running a correction to resolve the issue.

3. The LIPOA report was provided by LIPOA President Russell. He discussed the winterizing of the campground and the drawdown.

### **Public Hearings:**

1. Public Hearing for proposed Ordinance 2014-06

A public hearing for proposed Ordinance 2014-06 was opened by Village President Torgerson at 7:19 PM. A synopsis of the proposed Ordinance was provided by Manager Wolff.

Public Comments: None

Questions from the Council: None

President Torgerson closed the public hearing at 7:21 PM.

A motion was made by Kiel, seconded by Griffin, to adopt proposed Ordinance 2014-06. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

2. Public Hearing for proposed Ordinance 2014-10

A public hearing for proposed Ordinance 2014-10 was opened by Village President Torgerson at 7:23 PM. A synopsis of the proposed Ordinance was provided by Manager Wolff.

Public Comments: None

Questions from the Council:

- Grey requested that once the change in inspectors is made to have a copy of the County's fee schedule posted here for people to see when they pull a zoning permit.

President Torgerson closed the public hearing at 7:26 PM.

A motion was made by Kiel, seconded by Griffin, to adopt proposed Ordinance 2014-10. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

### **Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive.

### **Existing Business:**

1. Resolution 2014-22; Board of Ethics Complaint Form

A motion was made by Grey, seconded by Kiel, to adopt proposed Resolution 2014-22 which creates a formal complaint form to be used by the Board of Ethics.

Pattison offered a friendly amendment to the motion on the floor. He made a motion that the original motion be amended to also direct the Board of Ethics to review the form and report back to the Council on any recommended changes. Without a second to the motion, Torgerson ruled that it died for lack of support.

There was discussion on the original motion. There were no objections from the Council to having the Board of Ethics review the form and report back with any desired changes.

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

2. Lake Isabella North Lot Swapping Agreement

A motion was made by Kiel, seconded by Lacca, to adopt the proposed agreement to create a lot swapping plan in Lake Isabella North as a means to address the building and use restrictions which limit the development of the number of well and septic systems in the plat.

ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Lake Isabella South & Lake Isabella Golf Estates II Designation of Public Works Successor in Building & Use Restrictions

Wolff presented a first draft of a proposal that has been discussed with Isabella County on transferring the Public Works authority to the Village in the remaining plats with restrictions on the number of well and septic systems.

**New Business**

1. MML Property & Liability Board of Directors Ballot

A motion was made by Grey, seconded by Eberhart, to authorize the Village Manager to cast the Village's ballot for the three candidates running for the Board of Directors of the insurance pool. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 7-0-0.

2. November Meeting Date

The Council discussed moving the November meeting date. After discussion, the Council agreed to change the November meeting date from November 18<sup>th</sup> to November 25<sup>th</sup> with the time and location unchanged.

**Public Comments:** None

With no further business, the Village Council stood in adjournment at 7:46 PM.

x\ \_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – November 25, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

A rescheduled regular meeting of the Village Council was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Grey, Lacca, Kiel, and Torgerson

**Members Absent:** None

**Members Excused:** Eberhart, Griffin, and Pattison

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Kiel, seconded by Griffin, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. JCCA Report
6. Approval of Payment to the Central Michigan District Health Department for the Lake Isabella North re-plat fee.
7. Draft Minutes; October 21, 2014 Village Council Meeting
8. Draft Minutes; November 18, 2014 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Kiel, Grey, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Reports:**

1. Village President Torgerson had not items to report on.
2. Village Manager Wolff provided a written report to the Village Council. He discussed the Village Hall's change to Charter for phone and internet service. He highlighted the November election results. He discussed the changeover process for the inspection service. He provided an update on the operations of Isabella Pellet. He also discussed the Lake Isabella North Lot Swapping Agreement. He informed the Council of efforts to work with the Road Commission to install a blinking caution light at Baseline Road and Coldwater Road.
3. The LIPOA report was provided in writing by LIPOA Manager King. Mike Scherba discussed the drawdown and how much the lake has risen due to recent rain and snow melt.

**Public Hearings:** None

**Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive and Bruce Torgerson of El Camino Grande.

**Existing Business:**1. Trailer, Boat, & RV Storage Regulations

The Village Council discussed the recommended modifications to the Village's regulation of boats, campers, and trailer storage. Ordinance enforcement was discussed as well as the ability to expand the current LIPOA storage area.

After discussion, Wolff was directed to draft an ordinance for the Council's consideration to amend the regulations based upon the recommendations submitted. Wolff also informed the Council that in light of the proposed amendments that the Council has asked to see for further discussion and consideration, he would hold-off on enforcing those specific parts of the current regulations.

2. Proposed Fuel Tax Increase

In light of the Michigan Senate passing a package of bills to address the state's transportation funding issues, the Council revisited the position of the Village taken by Resolution 2013-02. After discussion, the Council made no changes to the position previously taken regarding the need to increase transportation funding without doing so by an increase in transportation taxes or fees.

**New Business**1. Introduction of Proposed Ordinance 2014-07

A motion was made by Grey, seconded by Lacca, to introduce proposed Ordinance 2014-07 as recommended by the Planning Commission, and to hold a public hearing at the next regular meeting of the Village Council. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (4-0-0),

2. 2015 Street Reconstruction Project

Steve Clark from Rowe PSC was present and discussed with the Council the process remaining if the Village would like to move forward with the MDEQ Scrap Tire Market Development Grant.

The Council discussed options to fund the remaining project costs that are not covered by the grant. The ability to cover this expense by special assessment was discussed, but was ultimately viewed as logically difficult due to the low parcel count on the street segments proposed for work.

A motion was made by Grey, seconded by Kiel, to no longer pursue the MDEQ Scrap Tire Market Development Grant for paving projects in 2015. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (4-0-0)

3. Resolution 2014-24; Isabella County "Charge Back" Parcels

A motion was made by Grey, seconded by Lacca, to adopt proposed Resolution 2014-24 as submitted. ROLL CALL VOTE; YEAS: Keil, Grey, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

4. Code Enforcement Software Agreement

A motion was made by Kiel, seconded by Grey, to approve the 2 year agreement with Comcate for Code Enforcement Software until June 30, 2016. ROLL CALL VOTE;

YEAS: Kiel, Grey, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Public Comments:**

Public comments were offered to the Village Council from Mike Scherba of Isabella Vista.

Councilman Lacca also offered comments to the Council and public regarding his support for a ballot proposal to increase the allowed millage rate from 1 Mill to 2 Mills.

With no further business, the Village Council stood in adjournment at 8:28 PM.

x\  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – December 16, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 7:00 PM and the pledge of allegiance was recited.

**Members Present:** Eberhart, Grey, Lacca, Kiel, & Torgerson  
**Members Excused:** Griffin & Pattison

The Agenda for the meeting was accepted without objection or modification, which included the approval of Griffin and Pattison being excused from the meeting.

A motion was made by Kiel, seconded by Grey, to approve the Consent Agenda as presented, which included the following items:

1. Investment Reports
2. Invoices and Bills to be Paid
3. Balance Sheet
4. Income & Expense Report
5. Disposal of Closed Session Minutes
6. Draft Minutes of the November 25, 2014 Village Council Meeting
7. Draft Minutes of the December 9, 2014 Planning Commission Meeting
8. Draft Minutes of the December 12, 2014 Finance Committee
9. Draft Minutes of the December 12, 2014 Personnel Committee

ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Reports:**

1. Staff from Gabridge & Company was present to provide an overview of the Village's audit for the 2013-2014 fiscal year. Once again the Village received the highest opinion that can be offered by the auditors, and had no issues which warrant further correction. The auditors discussed the one-time occurrence of how the Village's debt refinancing impacted the year-end numbers. Since the repayment of the bonds needed to be accounted for under the expenses for the year, it showed that the Village had total General Fund expenses of \$857,487. Of which, \$530,000 was debt refinancing. As a result the audit showed cash on hand of roughly 32% of General Fund expenses. Taking the debt refinance out of that formula would result in a General Fund balance of roughly 85% for an entire fiscal year expenses. It was noted that The State of Michigan considers a community at risk for financial distress when that number is at 13% or lower, and that the generally acceptable standard in auditing is a minimum cash on hand of 17%.
2. Skip Uber, General Manager of Isabella Pellet, was present to give the Council an update on various changes and developments at the factory. He advised the Council that all of the original management team is no longer involved in the operations of the factory, and that they will be converting their heat source for the dryer from wood chips to natural gas in January of 2015. He discussed improvements that are planned for the facility over the

next year as revenue allows. He asked the Council to delay any enforcement action on the uncompleted items from their various development agreements.

There was discussed with Mr. Uber from the Council, specifically on the need to finish the required paving and the outdoor storage of materials. The Council requested that Mr. Uber provides quarterly updates to the Council on the progress being made towards full compliance with the development agreements. No enforcement action was requested by the Village Council at this time.

3. Village President Torgerson presented Councilman Lacca with a plaque thanking him for his service on the Village Council.
4. Village Manager Wolff provided a written report to the Village Council, it was received without objection. Wolff also asked Deputy Manager Manley to give an update on the Adopt-a-Family program. She informed the Council that roughly \$3,400 was raised this year to help families in need.
5. LIPOA Manager King provided a written report to the Village Council, it was received without objection.

### **Public Hearings:**

1. Proposed Ordinance 2014-07; Temporary Vendors & Zoning Permits

Torgerson opened the public hearing at 7:55 PM. A synopsis of the ordinance was read by Village Manager Wolff.

Public Comments: None

Comments from Council: Torgerson thanked the Planning Commission for its work on this project and stated his opinion that it was wise to have the regulations in place.

Torgerson closed the public hearing at 7:58 PM.

A motion was made by Grey, seconded by Lacca, to adopt Ordinance 2014-07 as presented. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

### **Public Comments:**

Public comments were offered to the Village Council from the following individuals:

- George Dunn of Queens Way
- Mike Scherba of Isabella Vista
- Paul Cueny of Clubhouse Drive
- Larry Hiither of Queens Way

### **Existing Business:**

1. Resolution 2014-25; Employee Handbook

A motion was made by Eberhart, seconded by Grey, to adopt Resolution 2014-25, which updates the Village of Lake Isabella Employee Handbook, as recommended by the Personnel Committee. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Resolution 2014-26; Village Council Rules & Procedures

A motion was made by Grey, seconded by Kiel, to adopt Resolution 2014-26, which updates the Village Council Rules and Procedures, effective January 1, 2015 as recommended by the Personnel Committee, and then further amended by the Village Council. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**New Business**

1. 2014-2015 Drain Commissioner Special Assessment Payment

A motion was made by Kiel, seconded by Eberhart, to approve a payment in the amount of \$3,251.17 to cover the first of four annual installments Isabella County Drain Commissioner Special Assessment for repairs made to the Lake Isabella Dam on all parcels currently owned by the Village of Lake Isabella which are not listed for sale. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Introduction of Proposed Ordinance 2015-01; Temporary Structures

A motion was made by Grey, seconded by Lacca, to introduce proposed Ordinance 2015-01, which deals with Temporary Structures and set a public hearing for the next regular meeting date with a quorum present. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

3. Dedicated Patrol Coverage Contract with Sherman Township

A motion was made by Lacca, seconded by Eberhart, to authorize the Village Manager to begin contract renewal negotiations with Sherman Township on the Village's dedicated coverage contract which is set to expire on February 28, 2015. VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

4. Resolution 2014-27; Budget Amendments

A motion was made by Kiel, seconded by Lacca, to adopt proposed Resolution 2014-27, which amends the Village's FY 2014-2015 budget. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

5. Proposed Ordinance 2015-02; Boat, Trailer, & RV Storage Regulations

Proposed Ordinance 2015-02 was discussed by the Council, but was not formally introduced. Without objection further action was postponed until the next regular meeting with a quorum present to allow further review of the draft.

6. Resolution 2014-28; Lake Isabella South & Lake Isabella Golf Estates II Report

A motion was made by Eberhart, seconded by Grey, to adopt Resolution 2014-28 which directs the Village Manager to prepare a report detailing the history of the restrictions which limit the on-site development of well and septic systems for Lake Isabella South and Lake Isabella Golf Estates II and submit such to the Michigan Department of Environmental Quality, Central Michigan District Health Department, and Isabella County Board of Public Works, and further authorizing the Village Manager to engage in discussions with those entities listed above as to amending the existing restrictions to allow future development on a case-by-case basis provided that there is sufficient

evidence to support the lifting of the restrictions and there are no concerns from those organizations over the impact on the public's health and well-being. ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, Kiel, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Public Comments:**

Comments were offered to the Council and public from Councilman Lacca.

With no further business, the Village Council stood in adjournment at 8:49 PM.

x\  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Special Meeting – December 26, 2014

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by his Honor, Village President Torgerson, at 5:00 PM and the pledge of allegiance was recited.

**Members Present:** Grey, Kiel, Lacca, Pattison, and Torgerson  
**Members Absent:** Eberhart & Griffin

**Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive.

**Business**

1. Proposed Resolution 2014-29; Village Council Rules, Technical Amendment

The Village Council reviewed a proposed resolution to make a technical amendment to section 2.2 of the Village Council rules which go into effect on January 1, 2015.

A motion was made by Lacca, seconded by Kiel, to direct the Village Manager to confer with legal counsel to update the Village Attorney's original opinion regarding the permissible use of telephonic and video conference means to allow Council members to attend and participate in Council meetings and supply such opinion to the Village Council before taking further action on the proposed resolution. VOICE VOTE: MOTION CARRIED UNANIMOUSLY. 5-0-0.

2. Request to Approved Excused Absences

A motion was made by Grey, seconded by Kiel, to approve the following requests to be excused from the regular meeting dates during the first half of 2015:

Torgerson: February 17, 2015

Pattison: January 20, 2015  
February 17, 2015  
March 17, 2015  
April 21, 2015

Kiel: January 20, 2015  
February 17, 2015  
March 17, 2015  
April 21, 2015

Griffin: January 20, 2015  
February 17, 2015  
March 17, 2015  
April 21, 2015

Eberhart: January 20, 2015

VOICE VOTE: MOTION CARRIED UNANIMOUSLY 5-0-0.

3. Proposed Resolution 2014-30; Personnel Committee

A motion was made by Grey, seconded by Lacca, to adopt Resolution 2014-30, which makes the Personnel Committee a “*Committee of the Whole.*” ROLL CALL VOTE; YEAS: Grey, Kiel, Lacca, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

4. Letters of Resignation

A motion was made by Kiel, seconded by Grey, to accept with regret and sincere thanks, the resignation of Dan Pattison from the Village Council effective 11:59 PM on December 31, 2014.

President Torgerson asked that unanimous consent be given to excuse Pattison from voting on this matter as was advised by the Village Attorney. There were no objections to the request.

ROLL CALL VOTE; YEAS: Grey, Kiel, Lacca, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

A motion was made by Kiel, seconded by Grey, to accept with regret and sincere thanks, the resignation of Richard Lacca from the Village Council effective 11:59 PM on December 31, 2014.

President Torgerson asked that unanimous consent be given to excuse Lacca from voting on this matter as was advised by the Village Attorney. There were no objections to the request.

ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

5. Set January Meeting Date and Time

President Torgerson asked the members present, including Councilman-elect Cueny, if Tuesday, January 6, 2015 at 7 PM was acceptable as a meeting date for the January meeting with the main items of business to elect officers and select committees. There were no objections to this proposed date and time.

6. Village Council Appointment

Village President Torgerson stated that in his opinion, since Richard Lacca was the highest vote getting candidate not elected at the last Village Council election, that he should be appointed to fill the remainder of Dan Pattison’s term on the Council, and was making a motion to that effect.

Lacca asked was asked if he was interested in continuing to serve on the Council. After hesitation, he agreed to continue serving if appointed.

Kiel seconded the motion made by Torgerson to appoint Richard Lacca to the Village Council, effective January 1, 2015 to the remainder of Dan Pattison’s term.

Pattison spoke in favor of appointing Lacca to the remainder of his term on the Council.

President Torgerson asked that unanimous consent be given to excuse Lacca from voting on this matter. There were no objections to the request.

ROLL CALL VOTE; YEAS: Grey, Kiel, Pattison, and Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Public Comments:**

Public comments were offered to the Village Council from Paul Cueny of Clubhouse Drive.

With no further business, the Village Council stood in adjournment at 5:31 PM.

x\  
\_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\  
\_\_\_\_\_  
Dave Torgerson, Village President

Paul Cueny's comments to be included in the official record of the Council Minutes for the Village Council Special Meeting, Friday, December 26, 2014, per the Village Council Rules & Procedures.

December 26, 2014

David Torgerson, Dan Pattison, Charles Kiel, Jeffrey Grey, John Eberhart, Arnold Griffin, & Tim Wolff:

As I understand the Village Council is proposing at the Special Council Meeting today, Friday, December 26, 2014, to approve the following Council Members to be excused from the following Regular Scheduled Council Meetings in 2015:

January 20, 2015 Regular Council Meeting:

- Eberhart, Griffin, Kiel & Pattison

February 17, 2015 Regular Council Meeting:

- Griffin, Kiel, Pattison & Torgerson

March 17, 2015 Regular Council Meeting:

- Griffin, Kiel & Pattison

April 21, 2015 Regular Council Meeting:

- Griffin, Kiel & Pattison

I strongly object that the Village of Lake Isabella Council is allowing and approving the absence of four (4) Council Members at one time, for vacation purposes only, and therefore cancelling regular scheduled Council Meetings, due to a lack of a quorum, for the months of January and February 2015.

I also object that the Council is allowing and approving the absence of three (3) Council Members at one time, for vacation purposes only, so that there is just enough Council Members for a quorum in March & April. Please note if one (1) of the four remaining Council Members would become sick or have an emergency in either March or April there would not be a quorum and therefore no regular Council Meeting for said month.

By approving said absences from Council Meetings, for strictly vacation purposes, The Village Council is allowing three (3) Council Members (Griffin, Kiel & Pattison) to miss four (4) Council Meetings in a row and 25% of the Regular Council Meetings a year in just the first four (4) months of the year.

Please note that a quorum cannot be done by allowing the telephone or video conference of Council Member(s) per my email to the Council on December 23, 2014, which stated:

"However the Village of Lake Isabella Charter, which is the principal governing document of the Village, states under Section 3.12 "Majority vote of the Council" means the concurring vote of a majority of members of the Council **present**, including the Council President, and voting at any legal meeting of the Council at which a quorum is **present**.

Therefore unless the Village of Lake Isabella Charter is changed Council Member **cannot** vote on matters at a Council Meeting via telephone or video conference."

Also please note that a quorum cannot be done by allowing the telephone or video conference of Council Member(s) per the Village Council's approved Village Council Rules & Procedures. According to 2.2 of the Village Council Rules & Procedures: telephone or video conference of a Council Member(s) cannot be for the benefit of individual Council Member(s). Therefore allowing a Council Member(s) to vote via telephone or video conference would be allowing Council Member (s) the benefit of going on vacation and still having a vote at Council Meeting.

Since David Torgerson does not have an email address I am requesting Tim Wolff to forward this email to David Torgerson.

I strongly feel if Mr. Torgerson is to continue to be the President of the Village he should have an email address and he should start communicating by email rather than just his home telephone or Tim Wolff meeting with him.

Sincerely,  
Paul J. Cueny  
Councilperson Elect & a Concerned  
Citizen of the Village of Lake Isabella

Revised  
12/26/14